Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85925285
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION (no change)	
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_50167133251-20150630184026433905807US1_Remarks.pdf
CONVERTED PDF FILE(S) (3 pages)	\\\TICRS\EXPORT16\IMAGEOUT16\859\252\85925285\xml15\RFR0002.JPG
	\\\TICRS\\EXPORT16\\IMAGEOUT16\\859\\252\\85925285\\xm115\\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\859\252\85925285\xml15\RFR0004.JPG
ORIGINAL PDF FILE	evi_50167133251-20150630184026433905Exhibit_1.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\859\252\85925285\xml15\RFR0005.JPG
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DESCRIPTION OF EVIDENCE FILE	remarks and an exhibit
SIGNATURE SECTION	
RESPONSE SIGNATURE	/s/
SIGNATORY'S NAME	Stephen M. Schaetzel
SIGNATORY'S	Attorney of record, Georgia bar member

POSITION	
SIGNATORY'S PHONE NUMBER	404-645-7700
DATE SIGNED	06/30/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Jun 30 18:51:22 EDT 2015
TEAS STAMP	USPTO/RFR-50.167.133.251- 20150630185122404759-8592 5285-53066656bc11ab11d853 3ef5adc34c4e41c16ff2d0bf1 06a9ddec26c78b6167b-N/A-N /A-20150630184026433905

PTO Form 1960 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 07/31/2017)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. 85925285 has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Evidence in the nature of remarks and an exhibit has been attached.

Original PDF file:

evi_50167133251-20150630184026433905_._807US1_Remarks.pdf

Converted PDF file(s) (3 pages)

Evidence-1

Evidence-2

Evidence-3

Original PDF file:

evi_50167133251-20150630184026433905_._Exhibit_1.pdf

Converted PDF file(s) (3 pages)

Evidence-1 Evidence-2 Evidence-3

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /s/ Date: 06/30/2015

Signatory's Name: Stephen M. Schaetzel

Signatory's Position: Attorney of record, Georgia bar member

Signatory's Phone Number: 404-645-7700

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85925285

Internet Transmission Date: Tue Jun 30 18:51:22 EDT 2015 TEAS Stamp: USPTO/RFR-50.167.133.251-201506301851224

04759-85925285-53066656bc11ab11d8533ef5a dc34c4e41c16ff2d0bf106a9ddec26c78b6167b-

N/A-N/A-20150630184026433905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: THE REVENUE

MARKETING AGENCY

Serial No: 85/925,285 Law Office: 113

Trademark Attorney: J. Brendan Regan

Applicant: The Pedowitz Group, LLC

(DBA The Pedowitz Group)

Attorney Docket No: 10217-807US1

RESPONSE TO FINAL OFFICE ACTION

In response to the December 30, 2014 Final Office Action, Applicant hereby requests reconsideration and offers the following Remarks.

REMARKS

The Examining Attorney rejected the mark "Revenue Marketing" as being merely descriptive within the meaning of Section 2(e)(1) of the Lanham Act, 15 U.S.C. §1052(e). Applicant, The Pedowitz Group, LLC ("Applicant"), respectfully traverses this rejection.

This request for reconsideration is accompanied by the attached Exhibit 1, which comprises a Google search for the mark (or a critical portion of the mark) at issue. As shown in the exhibit, the first four (4) relevance listings are for the Applicant. This demonstrates that the designation is serving as a trademark to the relevant public. Further, it will be noted that the term "revenue marketing" is being used by another later in the exhibit, that use is isolated and constitutes an unauthorized use of the Applicant's mark.

In response to the request for additional information, Applicant responds as follows:

The nature of the services is that of business consulting by which a traditional marketing function is transformed from a cost center into a revenue center. The transformation process includes finding ways to leverage strategy, people, processes, technology, customers and results to such a result. The services offered by the Applicant include the

steps of generating leads for a client's product, then generating demand for the client's product, and then attributing any revenue that is generated by such previous steps or stages to appropriate activities in a way that makes the process repeatable and sustainable.

In response to the specific questions, Applicant further responds as follows:

Do the applicant's services concern revenue?

The Applicant's services do not directly concern revenue, although Applicant is a business that seeks to generate revenue and the result of Applicant's business consulting services is intended to generate revenue as a result of the sales of a client's goods or services.

Do the applicant's services concern marketing?

The Applicant's services are provided to client's who are seeking to convert their traditional marketing function from a cost center to a revenue center. In that regard, and only in that regard, do the services "concern" marketing.

Do the applicant's services concern revenue marketing?

The Applicant's services are identified by the coined term "Revenue Marketing." There is no such thing as marketing revenue. One markets goods and services in an effort to generate revenue.

Are the applicant's services provided by an agency?

Yes.

Does the wording "revenue" or "marketing" or "agency" or "revenue marketing" or "marketing agency" or "revenue marketing agency" have any meaning or significance, either in the industry in which the goods/services are manufactured/provided or as applied to the applicant's particular goods/services (perhaps as a term of art)?

Applicant does not believe that the term (or terms) has acquired any particular descriptive meaning in the industry. Applicant coined the term "Revenue Marketing," and has used that term to distinguish its products and services from those of others. While a few others have used the term, such uses have not been authorized by Applicant and are not relevant because such use has not been so widespread as to indicate descriptive use by the trade. Rather, as shown in the most recent exhibit (Google search), the term identifies Applicant as the source of such services even though there exists an isolated unauthorized use.

Accordingly, the exhibit supports the present application and Applicant requests that the mark be passed to publication.

MEUNIER CARLIN & CURFMAN LLC

Date: June 30, 2015 / Stephen M. Schaetzel /

/ Stephen M. Schaetzel /
Stephen M. Schaetzel
Attorney of record

EXHIBIT 1

Google

The Revenue Marketing Agency

Sign in

Web

Maps

Images

Videos

More v

Search tools

About 15,500,000 results (0.43 seconds)

Marketing Agency - Performics.com

News

Ad www.performics.com/

Performics: Driving Leads & Sales for Global Brands. Learn More Now!

Align Marketing + Revenue - leandatainc.com

Ad www.leandatainc.com/

Account-Based Marketing reporting best practices, tips and lessons

Advertising Agency - We Achieve Better Marketing Results

Ad www.mediassociates.com/

Mediassociates. Better Thinking™

Focused on Results · Make Advertising Work · Insightful and Innovative

Pedowitz Group

www.pedowitzgroup.com/ -

The Revenue Marketing Agency. Call Us: ... Get Started on your Revenue Marketing Journey $^{\text{TM}}$... Does your company want to see better ROI from marketing?

Revenue Marketing™ Thought Leadership Blog

www.pedowitzgroup.com > Blog -

Revenue Marketing™ though leadership from the practice leaders in Revenue ...
Many companies combine small portions of various ideas to create a hybrid ...

About Us - Pedowitz Group

www.pedowitzgroup.com/about-us/ -

The Pedowitz Group (TPG) is a Revenue Marketing™ agency headquartered near Atlanta, Ga. We help our clients change marketing from a cost center to a ...

The Revenue Marketing Journey™ - The Pedowitz Group

www.pedowitzgroup.com/rmt/revenue-marketing-journey/

The journey to Revenue Marketing ™ is a model that explains four distinct stages to ... Companies and marketers at this stage have invested in a marketing ...

2014 Agency Report: Revenue, Staffing, Stocks, Digital Up ... adage.com/article/agency...agency...revenue.../292849/ ▼ Advertising Age ▼ Apr 27, 2014 - Ad-agency employment is at its highest level since 2001, agency stocks have hit all-time highs and U.S. ad spending this year is forecast to ...

Agency Report 2014 Index - Advertising Age

adage.com/article/...agencies/ad-age-agency.../292284/ ▼ Advertising Age ▼ Apr 27, 2014 - The report includes rankings based on U.S. and worldwide revenue. Portions of Agency Report 2014 appeared in Ad Age's print edition (April ...

Digital, Media Drive US Agency Revenue - Advertising Age adage.com/article/agency...agency-revenue/241114/ Advertising Age

Apr 29, 2013 - Digital, media drove U.S. agency revenue up 5.6% in 2012, according to Ad Age DataCenter's analysis of data compiled for nearly 1000 ...

15 Ways to Maximize Marketing Agency Profits

www.marketingagencyinsider.com/.../15-ways-to-maximize-marketing-a...

Mar 12, 2014 - Agency Upward Revenue Growth is the easy part. Retaining it, and making it profitable, is the real challenge for agencies. As the demand for ...

Revenue Marketing Agency, Advertising

www.revenuemarketingagency.com/

By specializing in advertising, sales conversion and retention, as well as digital, mobile, social and traditional marketing, Revenue Marketing focuses on ...

Denver Digital Marketing Agency | Revenue River Marketing

Ads

Top 10 Tips for Marketers

www.learn.googleapps.com/
Learn how to use Google Apps
to improve your marketing efforts.

Upshot- Marketing

www.upshot.agency/ (312) 943-0900 Award-Winning Full-Service, Seamless Marketing Agency.

Google Partners

www.google.com/partners ▼ Search for a Trusted Agency Grow Your Business with Expert Help

Best Online Marketing

www.jumpfly.com/Online-Ad-Agency
Proven Marketing Professionals.
Ranked #1 PPC Marketing Agency.

Marketing Agency

www.rauxa.com/ Independent, Full Service Marketing Fueled by Research and Data

Need A Marketing Agency?

www.coalitiontechnologies.com/ (310) 827-3890

Leads, Revenue Generation, SEO, PR Design, Branding, Identity, Dev

Marketing For Healthcare

www.chatterbuzzmedia.com/healthcare Award Winning Marketing Agency.
Schedule a Free Consultation Today.

See your ad here »

The Revenue Marketing Agency - Google Search

www.revenueriver.co/digital-marketing-services * Are you looking to grow your business by building an effective digital marketing strategy? At Revenue River we specialize in blending the right amount of ...

Searches related to The Revenue Marketing Agency

advertising agency revenue

top ad agencies by revenue

advertising agency revenue model

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